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10/730,117	12/09/2003	Sugio Makishima	2091-0304P	4321

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EXAMINER
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BEMBEN, RICHARD M

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ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

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Continuation of Substance of Interview including description of the general nature of what was discussed: The Examiner considered the IDS filed 15 March 2010 and found the Nishimura patent to anticipate independent claims 1 and 9 but not dependent claim 8 (as presented in the 11 January 2010 amendment). The Nishimura reference qualifies as a 35 U.S.C. 102(e) reference and is commonly assigned to the Applicant. As such, the Applicant could disqualify prior art (a secondary reference) used to reject claim 8 under 35 U.S.C. 103(c) by establishing common ownership of the Nishimura patent. MPEP 706.02(l) [R-6]. Therefore, the Examiner indicated to the Applicant that if the Applicant established common ownership of the Nishimura patent and incorporated the limitations of dependent claim 8 into independent claims 1 and 9, the application would be in condition for allowance. Applicant agreed to amend the claims as suggested by the Examiner and to fax a statement of common ownership of the Nishimura patent to the Examiner.